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INFO RUCNASE/ASEAN MEMBER COLLECTIVE  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE  
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C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000425

SIPDIS

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DEPT PLEASE PASS TO DEPT OF LABOR ILAB OFFICE  
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US MISSION TO GENEVA FOR LABOR ATTACHE

E.O. 12958: DECL: 05/28/2018  
TAGS: ELAB PGOV PREL PHUM BM  
SUBJECT: BURMA: ILO LOOKING TO EXPAND ROLE AFTER CYCLONE  
NARGIS

REF: A. RANGOON 424

1B. RANGOON 286 AND PREVIOUS

Classified By: Economic Officer Samantha A. Carl-Yoder for reasons 1.4  
(b and d)

11. (C) Summary. In the wake of Cyclone Nargis, which devastated Burma on May 2-3, International Labor Organization officials are looking to expand the organization's mandate in Burma so it can address cyclone recovery issues, particularly the use of paid labor instead of forced labor during reconstruction and economic development. Since the storm, the ILO has received informal and unverified reports of forced labor, forced child labor, and trafficking of persons in the cyclone-affected regions, but is unable to investigate them because the office has not received a specific complaint with solid evidence. During the annual ILO Conference, May 29-June 13, ILO Liaison Officer Steve Marshall plans to propose to ILO members an expansion of his office's mandate that would allow him to investigate such cases as well, as work with the GOB to implement best labor practices in the cyclone-affected regions. The Minister of Labor has heard his proposal, but suggested he obtain ILO member approval before the regime makes a decision. We recommend that the U.S. delegation support Marshall's request. End Summary.

Forced Labor, Trafficking on the Rise

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12. (C) In the aftermath of Cyclone Nargis, which ripped through Burma's Irrawaddy and Rangoon Divisions May 2-3, the number of reports of forced labor, forced child labor, and trafficking in persons has increased dramatically, ILO Liaison Officer Steve Marshall told us. The ILO receives more than five unverified reports daily, but due to its limitations under the Supplementary Understanding, the ILO office is unable to investigate these cases. Marshall predicted that the number of forced labor cases and complaints will increase as the Burmese Government moves into its post-Cyclone Nargis reconstruction phase (Ref A). Once his office receives formal complaints backed by solid evidence, his staff will launch formal investigations.

However, Marshall's office has yet to receive any formal complaints and thus cannot take any official action.

¶13. (C) Marshall told us that his office will be working with local and international NGOs to monitor trafficking in persons issues during the next few months. Cyclone Nargis left many children orphaned, who are vulnerable to trafficking and forced child labor. Additionally, he has heard unverified reports of parents selling their children to raise money to survive. Again, the ILO has not received any formal complaints, but will monitor the situation closely.

ILO Role Post-Nargis

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¶14. (C) Because of the ILO's limited mandate in Burma, the organization does not have a substantial role in the post-cyclone activities, Marshall admitted. Unlike other UN organizations, the ILO cannot conduct direct humanitarian assistance. However, many ILO staff have temporarily transferred to other UN offices, including UNICEF and UNDP, to assist with their cyclone-related activities. The ILO is involved in the child protection cluster, working with international NGOs and other UN agencies to develop a targeted strategy to protect children from forced child labor, forced "volunteering", and trafficking, Marshall noted.

¶15. (C) The ILO is also involved in the early recovery cluster, which is coordinating efforts to assist Burmese with regaining their livelihoods. Marshall noted that in other countries and after other disasters, the ILO took the lead in early recovery activities, implementing programs for

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community-based recovery activities, monitoring labor intensive recovery programs for forced labor reasons, and encouraging economic development through micro-credit programs. These are traditional ILO roles in a post-crisis situation, he declared. Marshall believes that the ILO Burma Office should play this same role in the post-Nargis environment and hopes to use cyclone recovery as a way to expand his organization's mandate. "The cyclone presents an opportunity for the ILO to show the Burmese Government how to effectively use labor without the need for forced labor," he stated.

¶16. (C) Recognizing that he needed GOB approval to expand the ILO's mandate in Burma, Marshall spoke to the Minister of Labor immediately after the cyclone about the ILO's experiences with other disasters and how his office could implement the same types of programs. The Minister of Labor was noncommittal, Marshall noted, but did not dismiss his request. The Minister suggested that Marshall raise the issue with the ILO members and obtain their support before the Minister discussed the proposal with the Senior Generals. Marshall plans to ask the ILO members to support his request to expand the ILO Liaison Office's mandate during the annual ILO Conference in Geneva, May 29-June 13. Marshall requested that the U.S. delegation support his proposal, explaining that it would enable his office to promote fundamental labor principles, such as freedom of association, freedom of expression, and the right to labor unions, within a development context.

¶17. (C) If both the ILO members and the GOB agree to allow the ILO to expand its mandate, the ILO plans to bring in three or four specialists who will work with local and international NGO partners on economic development and labor issues.

Comment

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¶18. (C) Although the ILO has a long history of working with governments on economic development and early recovery efforts after natural disasters, the ILO Liaison Office in

Burma lacks the mandate to step into this role. Unlike in most countries, the ILO Burma office can only investigate specific cases of forced labor; its mandate does not cover the gamut of traditional ILO activities. Food for Work is a common program to assist in recovery. However, because of Burma's history of forced labor abuses, it is important that any such programs incorporate the ILO's advice from the beginning. In order to press for improved labor practices, the Burma office must have a broader mandate. Marshall's proposal would not only enable the organization to play an immediate role in Burma's post-cyclone economic, social, and labor development, but it would also permit his office to expand its portfolio over the long term. The ILO has valuable resources and experience that would assist with long-term recovery efforts, particularly with regard to early protection of children and vulnerable populations and best labor practices. We encourage the U.S. delegation to support Marshall's proposal. Improved dialogue and cooperation with the GOB on a wider variety of labor issues will expand both the promotion and understanding of labor rights in Burma.

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